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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/725,490	12/03/2003	Byoung-Young Lee	P24633	3978
7055	7590	12/12/2006		
GREENBLUM & BERNSTEIN, P.L.C. 1950 ROLAND CLARKE PLACE RESTON, VA 20191			EXAMINER PICKETT, JOHN G	
			ART UNIT	PAPER NUMBER
			3728	

DATE MAILED: 12/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/725,490

Applicant(s)

LEE, BYOUNG-YOUNG

Examiner

Gregory Pickett

Art Unit

3728

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 7-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 7-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 29 August 2006 has been entered.

Claims 1-5 and 7-12 are pending in the application.

Claim 6 has been canceled.

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Objections

3. Claim 4 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form.

All features of claim 4 are recited in the portion of claim 1 added in the amendment filed 29 August 2006.

Claim Rejections - 35 USC § 103

4. Claims 1, 4, 7, and 9-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lefèvre (FR 2639909 A1).

Claims 1 and 4: Lefèvre discloses a first embodiment of a package for a wiper blade (see Figures 1, 2, and 6) comprising an upper case **3/4/7/9** including an upper section **4/7/9**, a lower section **3**, and an upper lip (portion of **3** connected to **6 & 6'**, portion of **4** connected to **8 & 8'**, and **9**), and a lower case **5** including a lower lip (**6, 6'**, and portion of **5** underlying lip **9**) and a receiving space (see Figure 2). Since portion **9** and the portion of **5** underlying **9** reside at the edges of their respective structures **7** and **5**, they are considered lips. Lefèvre further discloses the upper and lower section connected by hinge **2**, a portion of the upper lip (portion of **3** connected to **6 & 6'**) continuously clamped to a first portion of the lower lip of lower case **5** at **6** and **6'**, first clamping groove **15** on a second portion of the lower lip (portion of **5** underlying lip **9**), and first clamping projection **16** on upper lip portion **9**.

Lefèvre discloses a second embodiment (Figure 4) with a second clamping projection **13** and second clamping groove **12**.

Lefèvre suggests interlocking structures on both the overlapping portions of lip **9** and the portion of **5** underlying **9**, and the overlapping portions of **6** and **8** (see Figure 3). One of ordinary skill in the art would have recognized that such redundancy of locking structures would prevent separation of the lips at either location. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the embodiment of Figure 6 of Lefèvre with a second clamping projection and

second clamping groove as taught by the embodiment of Figure 4 in order to prevent separation of the lips at the overlap of portions **6 & 8**.

Claim 7: Lefèvre anticipates the retention of a wiper blade (see for example the abstract).

Claims 9 and 10: Lefèvre discloses the upper section overlying and adjacent to the lower section (see the overlap at portion **9**) when the second clamping projection is fitted into the second clamping groove (see Figures 1 and 4).

Claims 11 and 12: Lefèvre discloses first clamping projection **16** and second clamping groove **12** at opposite sides of the lip of upper case part **7**.

5. Claims 2, 3, 5, and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lefèvre as applied to claim 1 above, and further in view of Lewis (US 6,070,723; previously provided).

Claim 2: Lefèvre, as applied to claim 1 above, discloses the claimed invention except for the specification retained by a holding nose.

Lewis teaches a specification card **64** and holding noses **66** for the retention of the card **64**. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the package of Lefèvre with a card and holding noses as taught by Lewis in order to provide the consumer with information concerning the wiper blade.

Claims 3 and 5: Lefèvre-Lewis, as applied to claim 2 above, discloses the claimed invention except for the mark indicating size.

Lewis teaches marks **126** and labels **128** to help provide the prospective purchaser with an estimate of the length of the retained wiper blade (see Col. 10, lines 43-49). It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the package of Lefèvre-Lewis with marks and labels as taught by Lewis in order to provide the prospective purchaser with an estimate of the length of the retained wiper blade.

Claim 8: Lefèvre anticipates the retention of a wiper blade (see for example the abstract).

Double Patenting

6. Applicant is advised that should claims 9 and 11 be found allowable, claims 10 and 12 will be objected to under 37 CFR 1.75 as being substantial duplicates thereof. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

Response to Arguments


7. Applicant's arguments with respect to claims 1-5 and 7-12 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory Pickett whose telephone number is 571-272-4560. The examiner can normally be reached on Mon-Fri, 11:30 AM - 8:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mickey Yu can be reached on 571-272-4562. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Greg Pickett
Examiner
9 December 2006